



State of Tennessee
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES
William R. Snodgrass - Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243-1102

March 16, 2015

Mr. John Crabb, III, President
Estate Management Services, Inc.
e-copy: admin@ponds.org
305 Indigo Drive
Brunswick, GA 31525

Subject: **NPDES Permit No. TNP100000**
General NPDES Permit for Discharges from Application of Pesticides

Dear Mr. Crabb:

On March 11, 2015, we have received a completed copy of the Notice of Intent (NOI) for coverage under the Pesticide General Permit (PGP). The NOI described your company as an operator involved in "weed and algae pest control" in all areas of Tennessee. We commend you for showing initiative when dealing with our states' regulatory process. However, it appears that you may not need to obtain coverage under the above-referenced general permit, as explained below.

Based on the information provided on the NOI and from our phone conversation on March 16, 2015, we concluded that your function with respect to pest control is not as a "decision-maker," but as an "operator." Your company provides professional pesticide application services to individuals, companies, government entities etc. While operators defined as "applicators" do have various permitting responsibilities, the NOI has to be submitted only by operators defined as "decision-makers," as defined in the Appendix A of the general permit. Specifically, the decision-maker is *"any entity with control over the decision to perform pesticide applications including the ability to modify those decisions that result in a discharge to waters of the state."* Of course, nothing in this letter should be construed as providing relief from any Department of Agriculture, FIFRA or any other applicable laws and regulations.

Again, thank you for sharing our interest in protecting waters of the state. If you have questions, please contact the Statewide Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact me at (615) 532-0670 or by E-mail at Vojin.Janjic@tn.gov.

Sincerely,

Vojin Janjić
Manager, Water-Based Systems

cc: Genral Permit Master File